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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mario Boisvert et al

Serial No.: 10/765,487 Examiner: M. Fletcher

Filed: January 27, 2004 Art Unit: 2837

Title: COLLISION MONITORING SYSTEM

Docket No.: 14-733C2D1

PETITION UNDER RULE 102 FOR ADVANCEMENT OF EXAMINATION

MS Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Commissioner is hereby petitioned to advance the present application due to the following circumstances. The fee set forth in 37 CFR 1.17(h) in the amount of \$130.00 accompanies this petition.

In accordance with MPEP section 708.02(II) the basis for advancement of the present application is infringement of one or more claims of this application. A statement of facts on behalf of Nartron Corporation, assignee of the invention, which provide the basis of the assertion accompanies this petition (see Attachment A).

Attachment B hereto contains four sheets of product packaging/components relating to the alleged infringing products recited in the statement of facts.

04/26/2005 AWONDAF1 00000020 10765487

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130.00 OP

I hereby certify that this paper is being deposited today with the U.S. Postal Service as 1st Class Mail addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 4/26/05

By: J. Fletcher

10/765,487

The Commissioner is hereby authorized to charge deposit account no. 23-0630 for any deficiency or credit that account any excess payment.

Respectfully Submitted,

Ap 20, 2005.
Date

Stephen Schultz
Stephen J. Schultz, Reg. No. 29,108



ATTACHMENT A

(Serial No. 10/765,487)



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Serial No.: 10/765,487 Examiner: M. Fletcher

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Title: COLLISION MONITORING SYSTEM

Docket No.: 14-733C2D1

**STATEMENT IN SUPPORT OF PETITION UNDER RULE 1.102 FOR
ADVANCEMENT OF EXAMINATION**

MS Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, John Washeleski, state that:

1. I am the Senior Vice President of Engineering of the assignee, Nartron Corporation of Reed City, Michigan and I am authorized to sign this declaration on behalf of Nartron Corporation.

2. I am familiar with United States Patents and have been named a co-inventor on at least ten issued United States patents during my employment with Nartron Corporation.

3. I have reviewed the present patent application and am familiar with its contents and have also reviewed the pending claims.

4. During evaluation of competitive products, I have become aware of three power window or panel movement control products that sense movement or position of a window or panel and stop movement of a window or panel in response to sensing a condition. These three products are the 702097004 product made and sold by Webasto in the United States , the 0146B00522 product, which upon information and belief is made in Germany and sold by Bosch/Brose in the United States, and the 15163056 product, which upon information and belief is made in Germany and sold by Arvin Meritor in the United States.

5. It is my belief that pending claim 2 of the present application is infringed by the aforementioned Bosch and Arvin Meritor products. More particularly these two products control motion of a motor driven element in a vehicle over a range of motion and alter the motion when undesirable resistance to motion is encountered. Each of the two products measure a parameter of a motor coupled to the motor driven element that varies in response to a resistance to motion during all or part of a range of motion of the motor driven element by taking a multiplicity of measurements as the motor moves the motor driven element over its range of motion. Each of the two products store a number of measurement values based on measurements of the parameter over at least a portion of the range of motion. Each of the two products determine that the parameter is outside a parameter range based on previous stored measurement values as the motor driven element moves over its range of motion. Finally, both products alter motion of the motor driven element in response to a determination that the parameter is outside the parameter range.

6. I have made a comparison of the Arvin Meritor, Bosch and Webasto products and also believe claim 28, which upon information and belief was added in a preliminary amendment filed with the present application, is also infringed by

all three products. Each of the three products control activation of a motor coupled to a motor vehicle window or panel for moving the window or panel along a travel path and deactivates the motor when a predetermined position is encountered by the window or panel. All three products include a sensor for sensing movement of the window or panel and providing a sensor output signal related to a position of the window or panel. The three products all include a switch for controllably actuating the motor by providing an energization signal. All three products include controllers having an interface coupled to the sensor and the switch for controllably energizing the motor wherein each of the controllers of the three products determines a position of the window or panel when power is applied to the controller by monitoring the position of the window or panel by monitoring the sensor output signal from the sensor that is related to a position of the window or panel. Additionally all three products identify the position of the window or panel based on the sensor output from the sensor and output a control signal to the switch to deactivate the motor in response to a sensing of the predetermined position of the window or panel.

7. I have good knowledge of the pertinent prior art already cited in prosecuting the parent application from which this application depends. The parent application is application serial number 10/100,892. Upon information and belief an Information Disclosure statement was filed with the present application on November 22, 2004, wherein references cited in the parent application were made of record in the present application.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

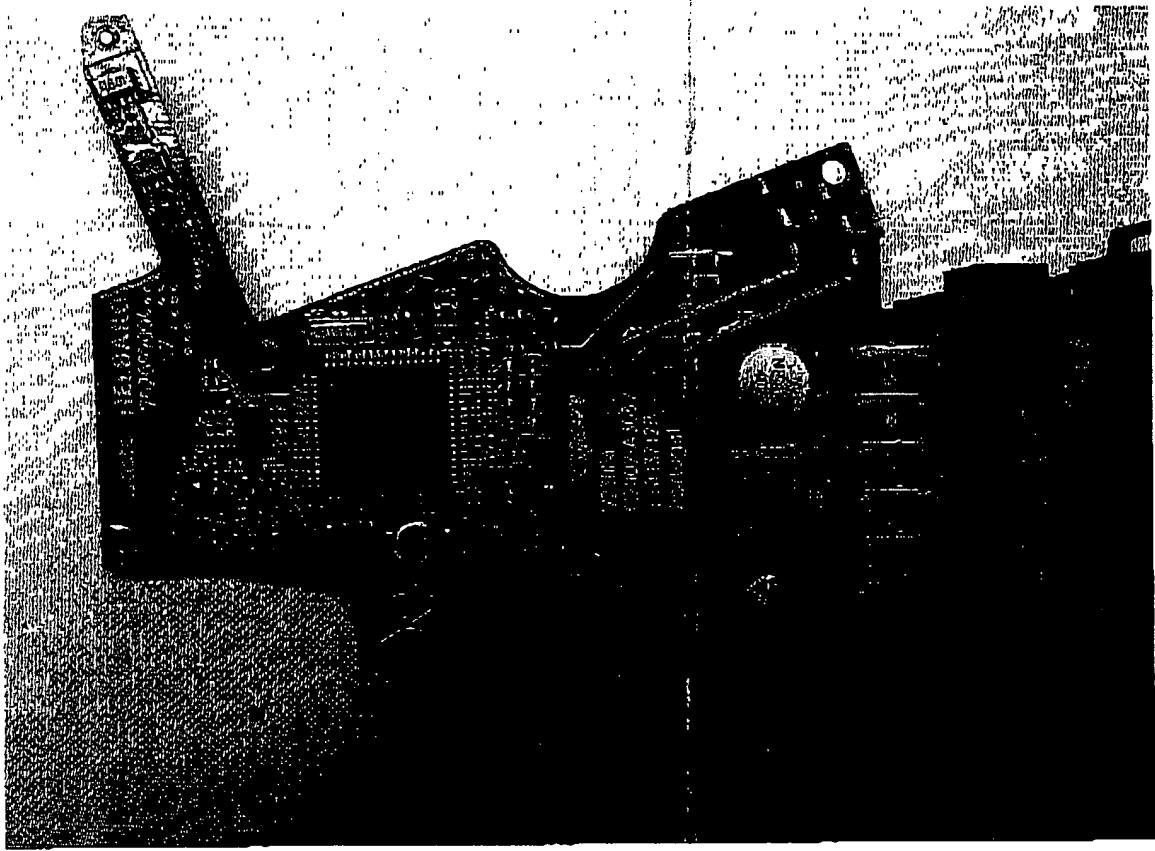
Date: 4-18-2005


John Washeleski



ATTACHMENT B

(Serial No. 10/765,487)



Webasto SRX Control with positioning and bounce back



Ford Motor Company™
ONE
4R3Z-6323201-AA
REGULATOR
CONTENTS MADE IN MEXICO

H751B

084247

081204



FORD MOTOR COMPANY, DEARBORN, MICHIGAN 48121 PRINTED IN U.S.A. © FORD MOTOR COMPANY
Contents conform to Federal Motor Vehicle Safety Standards, if any are applicable. L1194 REV 5/01 VLC

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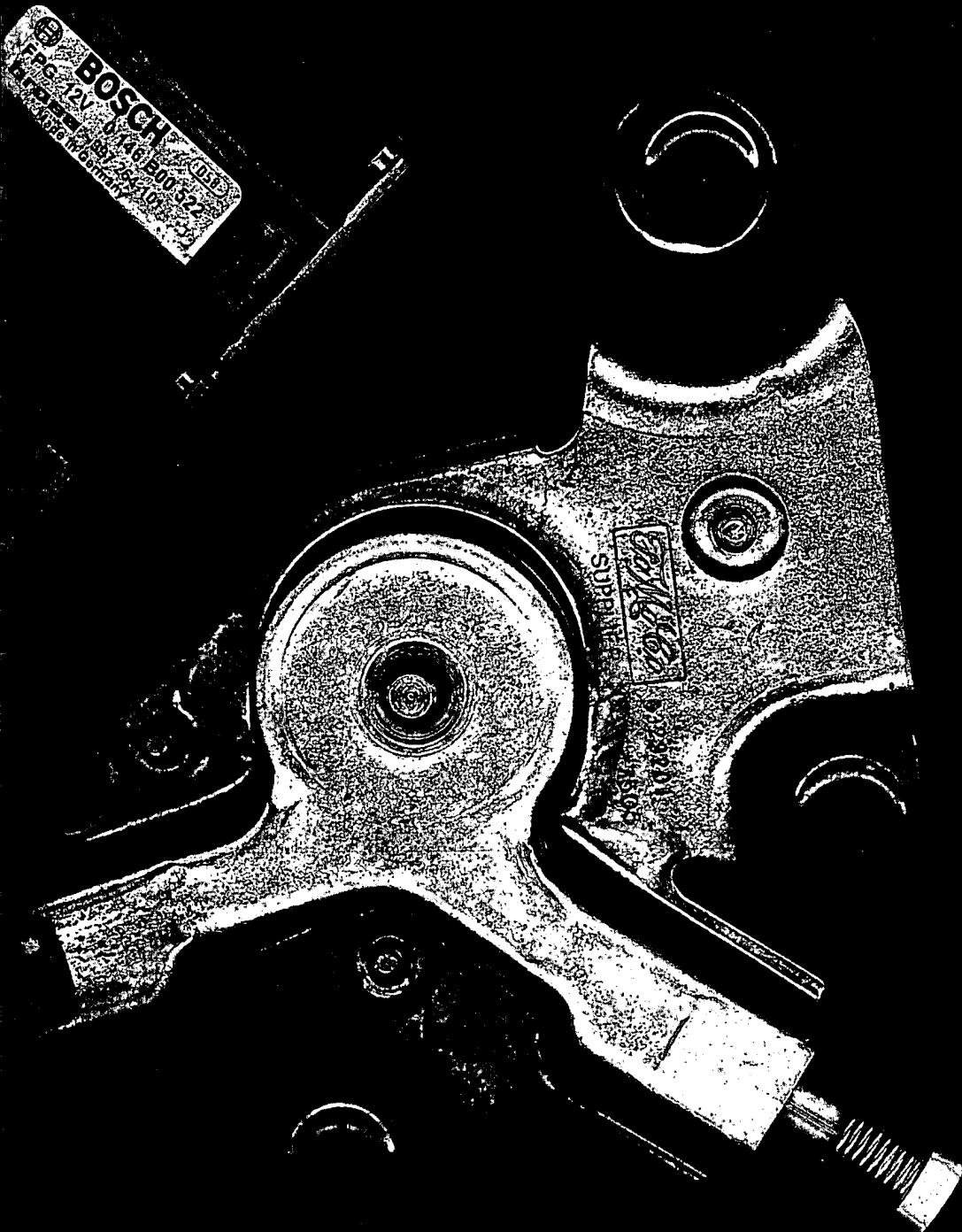


NARTRON
GV5484

Jan. '04

this is a Ford 2005 Mustang power window drive assy by Brose/Bosch

4 12 5



Arvin sunroof
drive system

4/12/5

W80-115-F3

1516-3056

15163056

ONE

MOTOR SUN RF

1 PCS

WORK AIGN OE DATE SEQ SCH CD

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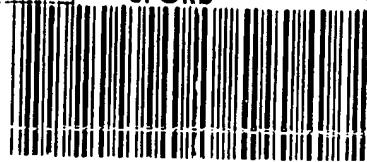
CUST ORDER ORD ITEM SHPT

544329 6003433 2 58-3811495

CUST BIN/ PART CNTL NO/PO OE

SPORD C28A 32285

PICK WGT
1.77



GM #: 15163056 AC #: 15163056 PCS 1
CTL/PO C28A ORD IT 2 SHPT 88-3811495
ORD 6003433 OE DATE 01/28/04 CUST 544329

CUST BIN/PT SPORD

CAT GP: 16.586 PRD LN:



SHPT 58-3811495

MARVEL CHEVROLET, INC.
2995 OLD US 131

1036

REED CITY

MI 49677-8009

DOR 009 STG 009



FRT PIECE 9080796

58

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GM# 15163056 7803285 GR.16.586

QTY. 1

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MOTOR

Genuine



General Motors Corporation
Detroit, Michigan 48243
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515003

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